



Doc#: 0822018017 Fee: \$46.25
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 08/07/2008 10:11 AM Pg: 1 of 5

This instrument prepared by: Coleman Prewitt, Esq.
Record and return to: Pamela Brown
SBA Network Services, Inc.
5900 Broken Sound Parkway, NW
Boca Raton, FL 33487
561.226.9316
PIN# 20-08-221-036-0000

ORIGINAL

MEMORANDUM OF ASSIGNMENT AND ASSUMPTION AGREEMENT

THIS MEMORANDUM OF ASSIGNMENT AND ASSUMPTION AGREEMENT (herein "Memorandum") is made this 9th day of July, 2008, by and between Horvath Communications Towers LLC, an Indiana limited liability company, having a principal office located at 5900 Broken Sound Parkway, NW, Boca Raton, Florida 33487 (herein "Assignor") and SBA Towers II, LLC, a Florida limited liability company, having a principal office located at 5900 Broken Sound Parkway NW, Boca Raton, Florida 33487 (herein "Assignee").

WHEREAS Assignor (i) is currently the tenant/grantee under the ground lease, option and/or easement ("Ground Lease") described on Exhibit A attached hereto, (ii) is the owner of a communication tower and related property (including work product) (collectively, the "Property - Exhibit B") located on or related to the real property ("Real Property") encumbered by the Ground Lease, and (iii) is the landlord under the lease and license of space on the Property and Real Property.

WHEREAS, On October 31, 2006, Assignee and Assignor entered into that certain Assignment and Assumption Agreement ("Assignment") pursuant to which, among other things, Assignor assigned the Ground Lease and conveyed the Property to Assignee.

WHEREAS, Assignor and Assignee desire to enter into this Memorandum to give notice of said Assignment and all of its terms, covenants and conditions to the same extent as if the same were fully set forth herein.

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration including the covenants and conditions more particularly set forth in the Assignment, Assignor and Assignee do hereby covenant, promise and agree as follows:

1. The Assignment provides in part that Assignor assigns to Assignee the Ground Lease and conveys to Assignee the Property.
2. The sole purpose of this instrument is to give notice of said Assignment and all its terms, covenants and conditions to the same extent as if the same were fully set forth herein. The Assignment contains certain other rights and obligations in favor of Assignor and Assignee which are more fully set forth therein.
3. The conditions, covenants and agreements contained in this instrument shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors and assigns.

EXECUTION PAGE FOLLOWS

SBA Site No.: IL08930-A
SBA Site Name: South Halsted

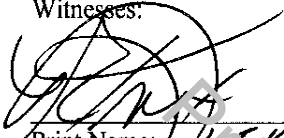
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UNOFFICIAL COPY


IN WITNESS WHEREOF, the parties have executed this Memorandum as of the day and year first above written.

ASSIGNOR:
Horvath Communications Towers LLC,
an Indiana limited liability company

Witnesses:

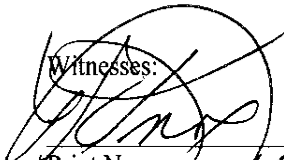

Print Name: LEKNOX

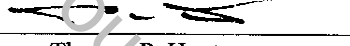
By: 
Print Name: Thomas P. Hunt
Its: Senior Vice President

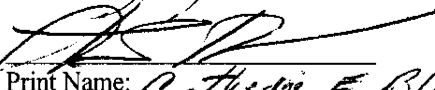

Print Name: Catherine E. Blonder

ASSIGNEE:
SBA Towers II, LLC,
a Florida limited liability company

Witnesses:


Print Name: LEKNOX

By: 
Print Name: Thomas P. Hunt
Its: Senior Vice President


Print Name: Catherine E. Blonder

Property of Cook County Clerk's Office

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State of Florida
County of Palm Beach

The foregoing instrument was acknowledged before me this 9th day of July, 2008 by Thomas P. Hunt, as Senior Vice President of Horvath Communications Towers LLC, an Indiana limited liability company, on behalf of the company. He is personally known to me.

WITNESS my hand this 9th day of July, 2008.



Laura E. Knox
Commission #DD565107
Expires: JUNE 18, 2010
www.AARONNOTARY.com

Signature _____
Print Name: Laura E Knox
NOTARY PUBLIC -- STATE OF FLORIDA
Commission Number: _____
My Commission Expires: _____

State of Florida
County of Palm Beach

The foregoing instrument was acknowledged before me this 9th day of July, 2008 by Thomas P. Hunt, as Senior Vice President of SBA Towers II, LLC, a Florida limited liability company, on behalf of the company. He is personally known to me.

WITNESS my hand this 9th day of July, 2008.



Laura E. Knox
Commission #DD565107
Expires: JUNE 18, 2010
www.AARONNOTARY.com

Signature _____
Print Name: Laura E Knox
NOTARY PUBLIC:
My Commission Expires: _____

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EXHIBIT "A"

DESCRIPTION OF GROUND LEASE

Site Agreement dated February 13, 2004, by and between Deborah Crowe, or her successor(s), Trustee under the Deborah Crowe Trust Agreement dated May 20, 2003, as lessor, and SprintCom, Inc., as lessee.

As evidenced by that certain Memorandum of Agreement, dated February 13, 2004, by and between Deborah Crowe, or her successor(s), Trustee under the Deborah Crowe Trust Agreement dated May 20, 2003, as lessor, and SprintCom, Inc., as lessee, and recorded in the Cook County Land Records, Illinois on March 26, 2004, as Document No. 0408650040.

As assigned by an Assignment Agreement dated March 1, 2006, by SprintCom, Inc., as assignor, to Horvath Communications Towers LLC, as assignee, and recorded in the Cook County Land Records, Illinois on May 8, 2006 as Document No. 0612834047.

As assigned by an Assignment and Assumption Agreement dated October 31st, 2006 by Horvath Communications Towers LLC, as assignor, and SBA Towers II, LLC, a Florida limited liability company, and memorialized by this Memorandum of Assignment and Assumption Agreement.

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EXHIBIT "B"

Lots 5 to 10, inclusive, in Block 6, in Library Subdivision in the Northeast $\frac{1}{4}$ of Section 8, Township 38 North, Range 14 East, of the Third Principal Meridian, situated in Cook County, Illinois.

Property of Cook County Clerk's Office